

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
File No. 5:18-CV-22**

**DIANA LOUISE HOUCK**

**PLAINTIFF**

**V.**

**LIFESTORE BANK, F.S.A., GRID  
FINANCIAL SERVICES, INC., and  
SUBSTITUTE TRUSTEE SERVICES, INC.**

**DEFENDANTS**

**MOTION FOR RECONSIDERATION**

**COMES NOW** Plaintiff, by and through counsel, and respectfully requests that this Court reconsider the Order entered February 7, 2018 (Doc 2).

Plaintiff requests that this Court vacate the Orders entered January 15, 2014 (Doc. 69 of 5:13-CV-66), February 20, 2014 (Doc. 71 of 5:13:-CV-66) pursuant to the Opinion entered by the Fourth Circuit on July 1, 2015, (Doc. 68 of No. 13-2326) and revise the Order entered February 7, 2018 (Doc. 2) to refer the 11 U.S.C. § 362 claims for all defendants to bankruptcy court and dismiss all state claims against all Defendants without prejudice pursuant to 28 U.S.C. § 1367(c)(2). The effect of this revised Order would obviate appeals that will come with the final judgment in the current case in bankruptcy court and bring all parties to the same point. The Plaintiff also seeks clarification as to whether she is allowed to refile her state claims in state court at this time or whether that action is stayed by the latest Order.

This revised Order will simplify a case that is too complex already and shorten a case that is far too protracted. The interest of justice will be served in this manner. Pursuant to Local Rule 7.1(b) Plaintiff's counsel conferred with opposing counsel. Opposing counsel did not consent to the Motion. Pursuant to Local Rule 7.1(c) the Plaintiff will file a memorandum of law concomitant with this Motion.

**TODAY** is February 9, 2018.

**COLLUM & PERRY**

By: /s/ M. Shane Perry  
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**CERTIFICATE OF SERVICE**

I, M. Shane Perry, do hereby certify that the foregoing **MOTION FOR RECONSIDERATION** in this action was served electronically through the CM/ECF system to:

**LifeStore Bank, FSA**  
c/o John Benjamin Reeves  
Reeves Law Firm  
202 East Main St.  
West Jefferson, NC 28694  
Attorney for Defendant

**Grid Financial Services, Inc.**  
c/o Robert Mays  
Van Winkle Law firm  
11 North Market Street,  
Asheville, NC 28801  
Attorney for Defendant

**Substitute Trustee Services, Inc.**  
c/o Jeffrey Bunda  
Hutchens Law Firm  
6230 Fairview Road, Suite 315  
Charlotte, NC 28210  
Attorney for Defendant

**TODAY** is February 9, 2018.

**COLLUM & PERRY**

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